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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,231	11/25/2003	Toshihiro Shima	MIPEP067	9194
25920 7590 03/24/2009 MARTINE PENILLA & GENCARELLA, LLP 710 LAKEWAY DRIVE SUITE 200 SUNNYVALE, CA 94085				
EXAMINER				
GARCIA, GABRIEL I				
ART UNIT		PAPER NUMBER		
2625				
MAIL DATE		DELIVERY MODE		
03/24/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/723,231

Applicant(s)

SHIMA, TOSHIHIRO

Examiner

GABRIEL I. GARCIA

Art Unit

2625

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-16 and 18 is/are allowed.
- 6) ☒ Claim(s) 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 2/24/09

Part III DETAILED ACTION

1. This application has been examined. This office action is in response to the RCE filed on 1/21/09. Claims 1-18 are pending in this application. Applicant's arguments with respect to claims 1-16 and 18 are found to be persuasive. However, In view of Applicant's argument(s) and amendment to claim 17, claim 17 is still being rejected.
2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hayashi (U.S. PG. Pub. No. 2002/0149799) in view of Shimada (U.S. PG. Pub. No. 2003/0038962)

Regarding claim 17, Hayashi discloses a printing method that cause a printing device connecting with a network to implement printing, the method comprising: device

receiving a print job, which includes specification of a number of copies to be printed and is transmitted from a device connecting with the network (reads on P[0099] discloses an interface for sending and receiving image data from a host.) a printing device specification module that specifies each of other printing devices connecting with the network as an alternative printing device to which the print job is transferable (see fig. 5 which shows that two other devices are designated to print copies); a job transfer module that, when the specified number of copies to be printed is a plural number, transfers a modified print job, which includes setting of a less number of copies than the specified number as a number of copies to be transferred, to at least part of the specified alternative printing devices for printing; (P[0071] – transceiver provides a linkage start instruction to perform printing on linked printing devices as show in Fig. 5). and Hayashi does not explicitly disclose "a copy number management module that manages a total number of copies including a number of copies printed by at least part of the specified alternative printing devices, so as to eventually attain printing of the specified number of copies. and determining whether there are still multiple copies to be printed , wherein, in case where there are still multiple copies to be printed, the transferring of the modified print job is repeatedly executed. " However, Shimada discloses in P[0095-0105] examples of how copies are distributed and manage across various number of printers, and Hayashi further teaches wherein the print job and the modified print job include print data, and determining whether there are still multiple copies to be printed , wherein, in case where there are still multiple copies to be printed, the transferring of the modified print job is repeatedly executed (reads on fig. 14 and

[64-66] clearly the data to be printed is divided between printers and a modified print data is sent to different printers, fig. 5 depicts how the print job is created by a host computer and the print data can be divided between devices (100), each device receiving a modified print file having only pages to be printed by the specific device, and keeping track as to how many pages are printed or not) .

This acknowledgement of, for example, four copies of a certain page is an indication that there is a management of the copies, by a function or module. It would be obvious that this module can be the multi printer controller as shown in Figs. 13 and 14 of Shimada. Hayashi and Shimada are combinable because both are in the art of distributing of data to multiple printing devices.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have managed a total number of copies.

The motivation would have been to ensure that the right amount of copies was printed. Therefore, it would have been obvious to combine Hayashi and Shimada to obtain the invention as specified.

Conclusion

4. Claims 1-16 and 18 are being allowed over the prior art of record. The prior art of record does not teach or suggest a printer having the number of copies for printing distributed to each printer is set at the start of the printing process. On the other, the copy number management module determines whether there are still multiple copies to be printed and the job transfer module repeatedly executes the transfer of the modified

print job in a case where there are still multiple copies to be printed., and recited in the independent claims 1 and 18.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabriel I. Garcia whose telephone number is (571) 272-7434. The Examiner can normally be reached Monday-Thursday from 7:30 AM-6:00 PM. The fax phone number for this group is (571) 273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2600.

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Art Unit: 2625

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/Gabriel I Garcia/

Primary Examiner, Art Unit 2625

Gabriel I. Garcia
Primary Examiner
March 18, 2009